

MAR 26 2013

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN MICHAEL MASON,

Petitioner,

v.

WARDEN OF SUSSEX I STATE PRISON,

Respondent.

)  
) Case No. 7:12-cv-00412  
)  
)  
)

) **FINAL ORDER**  
)  
)

) By: James C. Turk  
) Senior United States District Judge  
)

For the reasons set forth in the Memorandum Opinion entered this day, it is hereby  
**ADJUDGED** and **ORDERED** that Respondent's Motion to Dismiss, ECF No. 4, is  
**GRANTED**, and the Petition for a Writ of Habeas Corpus, ECF No. 1, is **DISMISSED**. Further,  
the Court finds that Mason has not made the requisite substantial showing of the denial of a  
constitutional right as required by 28 U.S.C. § 2253(c) and, therefore, a certificate of  
appealability is **DENIED**.

The Clerk is directed to send copies of this Order and accompanying Memorandum  
Opinion to the Petitioner and counsel of record for the Respondent. The Clerk is further directed  
to strike this case from the Court's active docket.

ENTER: This 26<sup>th</sup> day of March, 2013.

*[Signature]*  
James C. Turk  
Senior United States District Judge